

No. 1118-4Lab-77/5153.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s Kundli Engineering Industries Private Limited, Kundli, (Sonapat).

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 100 of 1974

Between

SHRI SIRAJ MOHD. WORKMAN AND THE MANAGEMENT OF M/S KUNDLI ENGINEERING INDUSTRIES PRIVATE LIMITED, KUNDLI (SONEPAT)

AWARD

By order No. ID/RK/208-C-73/28838, dated 6th August, 1974, the Governor of Haryana, referred the following dispute between the management of M/s Kundli Engineering Industries Private Limited Kundli (Sonapat) and its workman Shri Siraj Mohd. to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the action of the Management in employing new Painters after the retrenchment of Shri Siraj Mohd. was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties put in their pleadings and the following issues were framed by my learned predecessor on 3rd April, 1975 and the case was fixed for the evidence of the parties on issues Nos. 1 and 2.

- (1) Whether the demands the subject matter of the present reference was first raised on the management and rejected by it before taking up the matter for conciliation? If not, with what effect?
- (2) Whether the present dispute is outside the purview of section 2-A and is otherwise bad in law and without jurisdiction for the preliminary objection raised in the written statement?
- (3) Whether the action of the management in employing new painters after the retrenchment of Shri Siraj Mohd. was justified and in order? If not, to what relief is he entitled?

My learned predecessor decided issues Nos. 1 and 2 against the management on 24th November, 1975 and then the case was fixed for evidence of management. Both the parties appeared. The representative of the management stated on 16th July, 1976 that the management had not been served and prayed for adjournment. It was then ordered by my learned predecessor on 16th June, 1976 that the management shall produce their evidence on 31st August, 1976. The tour programme of 31st August, 1976, had been cancelled and then the notices were issued to the parties for 19th October, 1976, that tour programme was also cancelled. Again notices were issued to the management for 15th November, 1976. The address of the management was given by the workman because on previous notice it was reported by the Postal Authorities that the management had closed their factory and thus registered notices were returned by the postal authorities. On the new address supplied by the workmen, notices were served upon the management. There are signatures as well as seal of the management on the A. D. Form received back from the postal authorities. The management has been sufficiently served for 2nd December, 1976 but even thereafter they did not appear in spite of service upon them. Then the case was proceeded ex parte against the management.

The workman examined one Abdul Ahmid as W.W. 1 and himself as W. W. 2. W. W. 1 stated that after the retrenchment of the workman concerned he worked in the factory of the management about 5/6 months in 1976. He also stated that when the workman concerned was retrenched, another painter was employed by the management and when that painter left the service of the management one more painter was employed by the management and when that second painter also left the service of the management, he was employed and when he left the services of the management, another painter has been employed by the management. He further stated that there was no reason to retrench the workman concerned and after the retrenchment of the workman concerned the post of painter has been regularly filled up and the painter has regularly worked there on that post. Similarly the statement of the workman concerned. Both the witnesses stated that neither the post of painter was abolished nor the work of painter had diminished or decreased. There was sufficient work for a painter in that factory. The workman concerned had further stated that he was served neither with one month's notice nor was paid wages in lieu thereof and that the

management did not indicate reasons for retrenchment. He further stated that there was no such agreement between the management and him which might entitled the management to retrench the workman concerned without giving notice. He also stated that no retrenchment compensation was paid to him and some painter has regularly worked in his place. His work was satisfactory and he was never administered warning or charge sheet. He was retrenched all of a sudden and he was told by the management not to attend the factory next day. The workman concerned stated that although he has not been regularly employed gainfully after his retrenchment but some how or the other he was able to earn Rs. 100 or Rs 125 P.M. interemintly either on contract basis work or daily wage work. He further stated that his dues are still lying with the management as unpaid.

I have carefully considered the evidence of the workman. The fact that the management did not appear inspite of service upon them leads me to believe that they had no justification to retrench the workman concerned. The evidence of the workman convinces that he was retrenched unjustifiably. I, therefore, submit my award as follows.

- (1) That the action of the management in employing new Painter after retrenchment of the workman concerned Shri Siraj Mohd. and the retrenchment of Shri Siraj Mohd, the workman concerned, was neither justified nor in order.
- (2) Shri Siraj Mohd. is entitled to reinstatement with continuity of service and with half back wages, in view of the fact that he has been able to earn Rs. 100 or 125 P.M. after his retrenchment.

Dated the 31st January, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 99

Dated 31-1-77.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st January, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1174-4Lab-77/5166.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Universal Steel and Alloys Limited, Faridabad.

BEFORE SHRI NATHU RAM SHARMA., PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 48 of 1975

between

THE WORKMAN AND THE MANAGEMENT OF M/S UNIVERSAL STEEL AND
ALLOYS LIMITED, FARIDABAD

AWARD

By order No. ID/FD/75/12828, dated 7th March, 1975 the Governor of Haryana, referred the following dispute between the management of M/s Universal Steel and Alloys Limited, Faridabad and its workmen to this Tribunal for adjudication. in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

- (1) Whether the workmen are entitled to the grant of dearness allowance ? If so, with what details ?
- (2) Whether the workmen should be supplied with uniforms ? If so, with what details ?

In this case an *ex parte* award dated 24th June, 1976 was given by my learned predecessor. The workmen thereafter filed an application to set aside the *ex parte* award in which the authorised representative of the workmen prayed that his relative had expired on the date of hearing and he had gone there. He had

sent the workman to attend the Court but they reached old Court premises at No. 5—M/124, N.J. T., Faridabad and awaited there upto 11 A. M. There the Tribunal was not holding session and he came back to the factory premises. The workman asked the representative of the management but he did not tell him about the matter. Thereafter the representative of the workmen came to the Court and asked about the case and he came to know that the case had been ordered *ex parte* against the workmen. This application was filed by the workmen on 12th July, 1976. The award is dated 24th June, 1976, so the application was within time.

Notices were issued to the parties. First the representative of the management contested the application and then an issue was framed as follow :—

Whether there are sufficient grounds for setting aside the *ex-parte* award in question ?

The parties led their evidence and closed the case and then the case was adjourned for argument. On 10th January, 1977, the representative of the management gave a statement that he had no objection if the *ex parte* award is set aside, as the management had reached a settlement with the representative of the workmen on the disputes which had been originally referred to this Tribunal for adjudication. His statement was recorded and the *ex parte* award was set aside by my order dated 10th January, 1977, and thereafter the settlement which had been arrived at between the parties was recorded. The representative of the management stated that the management had started supplying uniforms to the following categories of regular workmen:—

- (1) Security Gaurds.
- (2) Staff Car Drivers.
- (3) Peons.
- (4) Sweepers.

He further stated that this supply of uniforms shall continue to all the members of the above-said categories.

The representative of the workmen agreed to this settlement as regards the dispute regarding supply of uniforms.

The representative of the workmen withdraw from the dispute raised in this reference regarding of dearness allowance. The representative of the workmen further stated that whenever in future the management would make profit, the workmen may make a request for that demand and may raise that demand at that appropriate time and the management might consider that demand then.

This settlement looks to me as fair at the present time and in the present circumstances, because the workmen, by agreeing that they shall again raise that demand when they find the management making profits, indirectly admitted that the management was not making profits previously.

I, therefore, give my award in view of the settlement reached between the parties as follows.

(1) That the following entire categories of workman shall get uniforms :—

- (1) Security Gaurds.
- (2) Staff Car Drivers.
- (3) Peons.
- (4) Sweepers.

2. That the workmen are not entitled to grant of dearness allowance at present, but they shall not be debarred from raising this demand in future whenever they found the management making profits.

That the *ex parte* award in this reference given on 24th June, 1976 does not stand hereafter as been set aside as said hereinabove.

Dated the 17th January, 1977.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Ends. No. 90, dated the 27th January, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 27th January, 1977.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 824-4Lab-77/5168. In pursuance of the provisions of section 17 of the Industrial Disputes, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Mahalakshmi Ispat Private Limited, Daultabad Road, Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 142 of 1975

between

SHRI RAM KISHAN, WORKMAN AND THE MANAGEMENT OF M/S MAHALAKSMI
ISPAT PRIVATE LIMITED, DAULTABAD ROAD, GURGAON

AWARD

By order No. ID/GG/151-C-75/59768, dated 15th September, 1975, the Governor of Haryana, referred the following dispute between the management of M/s Mahalakshmi Ispat Private Limited, Daultabad Road, Gurgaon and its workman Shri Ram Kishan, to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947—

Whether the termination of services of Shri Ram Kishan was justified and in order? If not, to what relief is he entitled?"

On receipt of the reference, notices were issued to the parties. The parties put in their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 26th April, 1976 and the case was fixed for evidence of the parties :—

- (1) Whether the workman abandoned his job of his own accord by absents from duty since 3rd June, 1975?
- (2) Whether the management struck off the name of the workman from the rolls of their employees as a result of his long continued absence from duty for 10 months since 3rd June, 1975?
- (3) Whether the workman remained gainfully employed since the date of his absence (for any reason) from duty? If yes, to what abandonment and to what effect?

The management examined their witness Shri Suraj Parkash, Time Keeper, as M.W. 1 who stated that the workman was absent from 4th June, 1975 to 31st March, 1976 according to the attendance register which he had brought. Then his name was struck off the rolls with effect from 1st April, 1976. Shri Mahesh Chander Gupta, Managing Partner, of the management was also examined as M.W. 2 who stated that the workman was absented from 4th June, 1975 onwards and he never turned up thereafter. He further stated that while he was supervising on 3rd June, 1975, he asked the workman as to why he did not change the rolls by lifting the same from the workshop to the side of the Mills. The workman replied that it was not his duty. Thereupon the said witness told the workman that he could not tolerate this kind of nonperformance of his duty and the workman declined to discharge his duty point blank. The workman went away and did not turn up the next day and thereafter. He prepared a charge sheet for disobedience but it could not be served upon the workman on account of his long absence. The said witness had appointed one Shri C. B. Kaushik to hold the enquiry but the said enquiry officer died. In cross examination, he denied that he was not keen to turn the workman out on one pretext or the other. He further stated that the management is not in possession of the home address of the workman. He denied that he prepared the chargesheet after completion of conciliation proceedings. The representative of the management further prayed for adjournment but their case was closed by my learned predecessor. The workman examined himself as W.W. 1 who stated that his services were terminated on 3rd June, 1975. He sent demand notice,—vide registered A.D. He then sent the demand notice to the Conciliation Officer on 21st June, 1975. He further stated that he did not resign the service of the management of his own.

He further stated that on that day i. e. 3rd June, 1975 the proprietor of the concerned management had told him to complete the work allotted to him and could go to take his meals thereafter. The workman again said that the management told him that he should first complete the job in hand and could go thereafter only. He went to take his meals at 12 noon and came back at about 1 P.M. and the proprietor of the concerned management told the workman that his services had been terminated as he had gone to take his meals before finishing his work. The other workman had gone with him for lunch was denied the work on that day but was given work the other day. But he was not given work on the next day and the Chowkidar at the gate told him that he was not to be taken on work. The workman could not tell the reason as to why he alone was dismissed. The workman further stated that he was getting food from his father and brother who are earning. He denied the suggestion that he served elsewhere.

The workman proved Ex. W-1 dated 8th June, 1975 which is a demand notice. Ex. W-2 is the acknowledgement due from the post office by which Ex. W-1 was served upon the management. Ex. W-3 is the proceedings of the conciliation officer. The representative of the management gave a statement before the conciliation officer wherein he stated that the workman was guilty of misconduct by being a habitual absentee. He was several times told about it but he never improved and thereafter the management had to remove the workman in that helpless state of affairs. The representative of the management denied to accede to the demand of the workman. Ex. W-4 is the report of the conciliation officer.

I have considered the evidence of the parties. To me it appears, that the plea of the management that the workman remained absent from 4th June, 1975 to 31st March, 1976 is an afterthought in view of the statement of the representative of the management before the Conciliation Officer. It seems that the management wanted to remove the workman from the service, hence they marked him absent from 4th June, 1975 for a long time. The attendance register has been marked by M.W. 1.

It is clear from the evidence that the management charged the accused for misconduct but did not hold any domestic enquiry, and they sought a device of marking the workman absent in order to achieve their end to terminate his service.

The service of the demand notice on the management clearly proved that the workman had not gone out of his town of employment. He was at Gurgaon. His demand notice is dated 8th June, 1975, just after 4 days of his termination of his service. The conciliation proceedings are dated 9th July, 1975. Hence the plea of the management that the workman had absented himself upto 31st March, 1976 does not stand to it and management fails to substantiate their plea. The statement of M.W. 1 and M.W. 2 do not carry much weight. M.W. 2 has stated that he had entrusted the enquiry to go into the charges against the workman to one Shri C. B. Kaushik. Although Shri C. B. Kaushik died but the management could appoint any other person to hold the enquiry. M.W. 2 has stated that the charge sheet could not be served upon the workman on account of his absence but service by post office was not adhered to; that all leads to the conclusion that the management wanted to remove the workman without holding enquiry. The enquiry officer could serve a notice on the workman concerned but M.W. 2 stated that he even did not know whether the appointed enquiry officer Shri C. B. Kaushik took any proceedings or not. The evidence of the management fails to convince this Tribunal of the correctness of their plea. Their plea merely is an after-thought and a device to remove the workman concerned without holding any enquiry. In their written statement, the management stated that they sent letters, dated 14th June, 1975 under certificate of posting but the certificate of posting was not placed on the file. The management pleaded that the workman has taken job else where but they failed to prove it. Annexure 'A' to the written statement speaks of charge sheet and suspension order. Annexure 'D' is a charge sheet. Annexure 'E' is another charge sheet. All that goes to show that the workman was charge-sheeted and no enquiry was held.

As discussed above, I decide issue No. 1 against the management and hold that the workman did not abandon his job of his own.

Issue No. 2.

As regards issue No. 2, I find that the plea of the management that the workman remained absent from 4th June, 1975 to 31st Jun., 1976 has not been substantiated. I have discussed it hereinabove. I think that this plea of the management is an afterthought. The conciliation proceedings speak contrary to this plea. I, therefore, decide this issue against the management.

Issue No. 3.

The management has not been able to prove that the workman was employed elsewhere during the relevant period. The workman categorically denied the suggestion that he served elsewhere. Although the workman admitted that he was getting his food from his father and brother but this does not disentitle the workman to claim back wages when his services were terminated unjustifiably. I, therefore, decide this issue against the management.

In the circumstances, I am led to the conclusion that the termination of the services of the workman concerned was neither justified, nor in order. I, therefore, give my award as follows :—

That the termination of the services of Shri Ram Kishan the workman concerned was neither justified nor in order and the workman is entitled to reinstatement with full back wages and continuity of service.

The 18th January, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 44, dated the 19th January, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 19th January, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 859-4Lab-77/5178.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the Management of M/s. T. C. Jain & Sons, Jagadhri.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 107 of 1975

between

SHRI ISHAR DASS WORKMAN AND THE MANAGEMENT OF M/S. T. C. JAIN, & SONS,
JAGADHRI

AWARD

By order No. ID/AMB/404-E-75/69897, dated 2nd December, 1975 of the Governor of Haryana, the following dispute between the management of M/s. T. C. Jain & Sons, Jagadhri and its workman Shri Ishar Dass, was referred to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Ishar Dass was justified and in order? If not, to what relief is he entitled?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filled their pleadings giving rise to the following issues framed,—*vide* order dated 20th July, 1976 :—

1. Whether Shri Ishar Dass was in service of the management as a workman?
2. Whether the termination of services of Shri Ishar Dass was justified and in order? If not, to what relief is he entitled?

The case being fixed for recording the evidence of the workman on issue No. 1, for 20th September, 1976, was adjourned to 23rd November, 1976 on a request made by Shri Surinder Kumar authorised representative for the workman, for that purpose. Shri Surinder Kumar prayed for yet another adjournment for adducing evidence and the case was thus adjourned to 18th January, 1977 for that Purpose,—*vide* my order dated 23rd November, 1976, without payment of cost to the other party.

Neither the workman nor his authorised representative appeared before me on 18th January, 1977 despite being directed to do so and adduce his evidence even though Shri Subhash Chander authorised representative for the management was present on that day. The absence of the workman and his authorised representative on 18th January, 1977 under the circumstances indicated their want of interest in pursuing the demand raised on the management leading to this reference and their inability to establish their case on issue No. 1.

I, thus treated the evidence of the workman closed.

In absence of any evidence for the workman on record in support of issue No. 1, I decide the same against him and hold that he is not entitled to any relief. I answer the reference while returning the award in these terms.

Dated 18th January, 1977.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 134' dated 21st January, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 2nd March, 1977

No. 1681-4 Lab-77/5402.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s the Postal and R. M. S. Employees, Cooperative Bank Ltd. Ambala Cantt.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 45 of 1974

between

SHRI K. V. S. SOOD, WORKMAN AND THE MANAGEMENT OF M/S THE POSTAL AND
R. M. S. EMPLOYEES COOPERATIVE BANK LTD; AMBALA CANTT.

A W A R D

By order No. ID/Amb/301-B-73/18610, dated 4th July, 1974 the Governor of Haryana, referred the following dispute between the management of M/s The Postal and R. M. S. Employees, Co-operative Bank Limited Ambala Cantt. and its workman Shri K. V. S. Sood to this Labour Court, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri K.V. S. Sood was justified and in order? If not, to what relief is he entitled?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues.

1. Whether the claimant Shri K. V. S. Sood is a workman as defined under section 2(s) of the Industrial Disputes Act?
2. Whether the termination of services of Shri K. V. S. Sood was justified and in order? If not, to what relief is he entitled?

Shri K. V. S. Sood workman however did not appear on 13th January, 1976 the date of hearing fixed in the reference despite being directed to do so and adduce his evidence on issue No. 1, —vide my order dated 25th November, 1975 with the result that *ex parte* proceedings were taken up against him on that date.

Shri Tara Singh, Manager, of the respondent made an *ex parte* statement 14th January, 1977 that the workman was appointed in a supervisory capacity and drew wages of Rs. 523.27 per month on the date of termination of his services and he was as such not a workman within a definition of this term given in section 2(s) of the Industrial Disputes Act. He added that Shri Sood sanctioned leave application Exhibit M—1 to M—6 of the workman in a supervisory capacity under his signatures and that he put this other workmen under suspension and took disciplinary action against them, —vide orders copies Exhibit M—7 and M—9 to M—19.

I see no reason to disbelieve the statement of Shri Tara Singh particularly when the proceedings against the workman are *ex parte* and he has not taken care to substantiate his plea in respect of

his being a workman. I accordingly relying of the statement of Shri Tara Singh hold that Shri K. V. S. Sood had been appointed in a supervisory capacity and drew wages of Rs 523.27 P. M. and was not a workman. I thus decide issue No. 1 against him and hold that the reference made to this Court being not in respect of an industrial dispute as defined in the Act is bad in law and the workman is not entitled to any relief.

I, therefore, answer the reference while returning the award in terms of my findings made above,

Dated :—

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. dated

Forwarded, (four copies) to the Secretaay to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer, Labour Court, Haryana,
Rohtak.

No. 1769-4Lab-77/5501.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana. Rohtak in respect of the dispute between the workmen and the management of M/s Shri Amar Trading Co. Lesses B. D. Flour Mills, Ambala Cantt.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 63 of 1973

between

SHRI AMAR GHANISHAM DASS, THE WORKMAN AND THE MANAGEMENT OF
M/S SHREE TRADING CO., LESSES B. D. FLOUR MILLS, AMBALA CANTT.

AWARD

By order No. ID/AMB/295-A-73/41406-10,—dated 17th October, 1973 of the Governor of Haryana, the following dispute between the management of M/s Shree Amar Trading Co. Lesses B. D. Flour Mills, Ambala Cantt. and its workman Shri Ghanisham Dass was referred to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Ghanisham Dass was justified and in order ? If not, to relief is he entitled?”

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues framed by me,—*vide* my order dated 25th March, 1976 :—

1. Whether the workman obondoned his job voluntarily by absenting himself from duty without permission of the management.
2. Whether it was legal necessary for the workman to raise a notice of demand on the management directly, if for the latter to reject it before he took matter to the Conciliation Officer.
3. If yes, whether the workman adopted such a course ?
4. Whether the termination of services of Shri Ghanisham Dass was justified and in order ? If not to what relief is he entitled ?

The case was fixed for recording the evidence of the workman on 18th January, 1977 when they prayed for a short adjournment for filing a settlement and the case was accordingly adjourned to 19th January, 1977.

The workman made a statement before me on 19th January, 1977 that he had agreed to forego all his claims under the demand leading to the reference in consideration of a sum of Rs 704 and that

he had actually received Rs 247 from the management out of the aforesaid amount while agreeing to get the balance adjusted against an advance of Rs 457 received by him earlier from them and that all his claims under the demand leading to the reference, had thus been satisfied in this manner.

It would thus appear that the demand raised by the workman on the management leading to the reference has been fully satisfied and there is now no dispute between the parties requiring adjudication. I hold accordingly and answer the reference while returning the award in these terms.

Dated 28th January, 1977.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 198, dated 1st February, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

P. P. CAPRIHAN,
Commissioner & Secy.

**PUBLIC WORKS DEPARTMENT
BUILDINGS AND ROADS BRANCH**

Circle Faridabad

The 18th March, 1977

No. S. E. N. H. Faridabad No. NHI/R-7B/W-4/17.—Whereas the Governor of Haryana is satisfied that land specified below is needed by the Government, at public expenses, for public purpose, namely, construction of Markanda Bridge in K. M. 182/4 (Guide Bund) in village Shahbad, tehsil Thanesar, district Kurukshetra, it is, therefore, hereby declared that the land described in the specifications below is required for the aforesaid purpose.

This declaration is made under the provision of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provision of section 7 of the said Act, the Land Acquisition Collector, Haryana P.W. D., B. & R. Branch, Ambala Cantt., is hereby directed to take order for the acquisition of the said land.

Plan of the land may be inspected in the offices of the Land Acquisition Collector, Haryana P. W. D., B. & R. Branch, Ambala Cantt., and Executive Engineer, National Highway Division, P. W. D., B. & R. Branch, Karnal.

SPECIFICATION

District	Tehsil	Locality/Village and Hadbast	Area in acres	Rectangle over Kila No.
Kurukshetra	Thanesar	Shahzad Pur 254	1.8	30 7, 8, 11, 12, 13, 14, 17, 18, 19, 20, 21 No. 78
Do	Do	Patti Kankra (Shahbad), 232	14.87	60 22, 23, 24, 25 80 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 81 5, 6, 14, 15, 16, 17, 18, 22, 23, 24, 25

District	Tehsil	Locality/Village and Hadbast	Area in acres	Rectangular over Killa No.
Kurukshetra	Thanesar	Patti Kan'kra (Shahbad), 332—concl'd.	14.87— concl'd.	83
				6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25
				84
				1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
				102
				1, 2, 3, 8, 9, 10
				103
				3, 4, 5, 14, 15, 16, 17, 18, 19, 20, 27/1
				104
				3, 4, 5, 6, 7, 8, 27/2
				No. 186—186/1—1 86/2

(Sd.)

Superintending Engineer,
National Highway Circle, Faridabad.